SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT No. _____ _____

☐ COMMITTEE AMENDMENT _____

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 534, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

_____

Senator Griffin

Griffin-AM-FS-Req#1575
2/18/2016 4:59 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely ☐ Amendment Cycle Extended ☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

FLOOR SUBSTITUTE
FOR
SENATE BILL NO. 534 By: Griffin of the Senate

and

Nelson of the House

FLOOR SUBSTITUTE

[Oklahoma Commission on Children and Youth - heirloom birth certificates - revolving fund - fees - allocation of certain monies - formula for disbursement - certification of certain information - carryover provisions - codification - ~~effective date - emergency~~]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-316a, is amended to read as follows:

Section 1-316a. A. The State Department of Health shall provide for the issuance of an heirloom birth certificate. The Department shall design the form of the heirloom birth certificate with the advice and assistance of the Oklahoma Arts Council and may promote and sell copies of the certificate. An heirloom birth certificate shall not be used as evidence of live birth nor identification purposes.

B. The Department shall prescribe a fee for the issuance of an heirloom birth certificate in an amount that does not exceed Thirty-five Dollars ($35.00).

C. Proceeds from the sale of heirloom birth certificates shall be used by ~~the Child Abuse Training and Coordination Program within~~ the State Department of Health ~~to provide training and technical assistance to judges, prosecutors, and members of multidisciplinary child abuse teams who intervene in circumstances of child abuse~~.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-9-103a of Title 10A, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the Oklahoma Commission on Children and Youth to be designated the "Child Abuse Multidisciplinary Team Account (CAMTA) Fund". The account shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Commission from any source. All monies accruing to the credit of the fund are hereby appropriated and shall be budgeted and expended by the Commission for the purposes of contracting with eligible multidisciplinary child abuse teams. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-9-103b of Title 10A, unless there is created a duplication in numbering, reads as follows:

A. The Child Abuse Multidisciplinary Team Account (CAMTA) Fund shall be administered by the Oklahoma Commission on Children and Youth for the benefit of children of Oklahoma and made available to eligible multidisciplinary child abuse teams.

B. 1. The Fund shall consist of:

a. all monies received by the Commission from state appropriations made for the purposes of contracting with eligible multidisciplinary child abuse teams,

b. interest attributable to investment of money in the Fund, and

c. money received by the Commission in the form of gifts, grants, reimbursements or from any other source intended to be used for the purposes of contracting with eligible freestanding multidisciplinary child abuse teams.

2. The monies deposited in the Fund shall at no time become monies of the state and shall not become part of the general budget of the Commission or any other state agency. Except as otherwise authorized by this section, no monies from the Fund shall be transferred for any purpose to any other state agency or any account of the Commission or be used for the purpose of contracting with any

other state agency or reimbursing any other state agency for any expense.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-9-104a of Title 10A, unless there is created a duplication in numbering, reads as follows:

The Oklahoma Commission on Children and Youth shall establish reasonable fees for services provided under contracts authorized by this act.

SECTION 5. AMENDATORY 10A O.S. 2011, Section 1-9-104, is amended to read as follows:

Section 1-9-104. A. The Department of Human Services shall ~~allocate~~ expend monies available in the Child Abuse Multidisciplinary Account (CAMA) to~~:~~

~~1. One functioning freestanding multidisciplinary child abuse team per county, as provided in Section 1-9-102 of this title;~~

~~2. One hospital team pursuant to subsection E of Section 1-9-102 of this title; and~~

~~3. One~~ one child advocacy center, accredited by the National Children's Alliance, per district attorney's district. A child advocacy center shall:

a. be eligible for Child Abuse Multidisciplinary Account (CAMA) funding upon accreditation by the National Children's Alliance,

b. secure a third-year interim review to determine whether the child advocacy center continues to meet the National Children's Alliance standards in effect at the time of its last accreditation. If a child advocacy center fails the third-year review, the center shall remain eligible for CAMA funding, but shall have another review conducted in the fourth year. If the child advocacy center fails the fourth-year review, the center shall be ineligible to receive CAMA funding until such time as the center receives reaccreditation from the National Children's Alliance, and

c. remain the center for the district attorney's district as long as the center is accredited and eligibility is maintained pursuant to the provisions of Section 1-9-102 of this title. If a center does not remain eligible pursuant to the provisions of Section 1-9-102 of this title, endorsement by the district attorney as the child advocacy center for the district may be sought by any entity beginning with the calendar year after the center is determined to be ineligible. The two centers in district number (4) and district number (13) that were accredited as of the effective date of this act shall continue to receive funding at the

nonurban level. Should one of the exempted centers close or no longer meet the criteria for a child advocacy center pursuant to the provisions of Section 1-9-102 of this title, the center shall not be allowed to reopen in that district or to receive CAMA funds. The remaining center shall become the sole child advocacy center for the district attorney's district.

B. Funding distribution pursuant to the provisions of this section shall be determined:

1. By multiplying the number of applicants in each category by the corresponding weight as follows:

a. ~~freestanding multidisciplinary child abuse team - 1,~~

~~b. hospital team - 1,~~

~~c.~~ nonurban centers - 4,

~~d.~~

b. mid-level nonurban centers - 6, and

~~e.~~

c. urban centers - 24;

2. Adding together the weighted results for all categories;

3. Dividing the weighted result for each category by the sum of the weighted results for all categories; and

4. Equally distributing funding to each applicant in the corresponding category based on the amounts obtained by multiplying the total available funding by the calculated percentages.

C. ~~1. Pursuant to the provisions of Section 1-9-103 of this title, by~~ By January 31, 2003, and by January 31 of each year thereafter, the Department shall disburse monies from the Child Abuse Multidisciplinary Account ~~to eligible multidisciplinary child abuse teams and~~ to eligible child advocacy centers. A child advocacy center shall be in compliance with the provisions of Section 1-9-102 of this title to be eligible for Child Abuse Multidisciplinary Account funding. The disbursement shall be a single, annual disbursement, for the collection period of the preceding year beginning October 1 through September 30.

D. A report issued by the Oklahoma Commission on Children and Youth to the Legislature outlining performance measures for all multidisciplinary teams, including those located within child advocacy centers, and recommendations on the funding formula provided for in Section 1-9-104 of this title shall be transmitted to the Legislature no later than December 31, 2015.

~~2.~~ The Department, the ~~Child Abuse Training and Coordinating Council~~ Commission, and the Children's Advocacy Centers of Oklahoma, Inc., shall meet annually, after ~~September 30, 2002~~ July 30, 2015, to review and certify the amount of CAMA ~~funds~~ and CAMTA Funds to be disbursed.

~~D.~~ E. A team or center may carry over funding for a period of one (1) year after allocation, such one-year period to begin in January and end in December of the same year; provided, however,

funds not used within twenty-four (24) months of the original allocation will be deducted from the contract amount for the next contract year. If a team or center is ineligible for funding in an upcoming year, unused funds from the current or previous years shall be returned to the CAMA or CAMTA account for use in subsequent years.

~~E.~~ F. The ~~Department of Human Services~~ Commission is hereby authorized to receive ~~one half~~ one-half of one percent (0.5%) in administrative costs from the ~~CAMA~~ CAMTA account. The Department of Human Services is hereby authorized to receive one-half of one percent (0.5%) in administrative costs from the CAMA account.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-9-104b of Title 10A, unless there is created a duplication in numbering, reads as follows:

The Oklahoma Commission on Children and Youth and the Department of Human Services shall promulgate rules to implement the provisions of this act.

~~SECTION 7. This act shall become effective July 1, 2015.~~

~~SECTION 8. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.~~

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